

Appendix A2, Schedule of Conditions, Draft Plan of Subdivision

**The Corporation of The Town of Richmond Hill
Schedule of Conditions
Draft Plan of Subdivision
File 19T(R)-16010**

**Elm Carrville (2016) Inc.
Part of Lots 109, 110 and 111, Plan 1960
Town of Richmond Hill**

Town of Richmond Hill

Development Planning Division

1. Approval shall relate to a draft Plan of Subdivision prepared by KLM Planning Partners Inc., having a signed Surveyor's Certificate dated November 4, 2016.
2. The lands within this draft Plan of Subdivision shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of an Ontario Land Surveyor Certificate that:
 - a) any existing buildings or structures on the lands as of the date of final approval, are situated so as to comply with applicable zoning by-laws after registration of the plan; and,
 - b) all lot frontages and lot areas within the plan conform to the applicable zoning by-law.
4. The road allowances included within this draft Plan of Subdivision shall be named to the satisfaction of the Town and the York Region Planning and Development Services Department. The Owner shall agree in the Subdivision Agreement that all street names shall be identified to the satisfaction of the Town prior to construction of any buildings.

Development Engineering Division

5. The Owner shall agree that maintenance of any retaining walls constructed within this draft Plan of Subdivision shall be the responsibility of the Owner, and of subsequent Owners. Retaining walls shall not be constructed upon lands to be transferred to the Town.

6. The Owner shall agree to provide the Town with digital copies of the draft and final Plan of Subdivision and all reference plans in accordance with the Town's digital submission requirements. These plans shall be tied to horizontal control at a minimum of three (3) locations at the extreme corners of the plan.
7. The Owner shall convey to the Town all lands or easements required for municipal servicing of lands within or external to the plan to the satisfaction of the Commissioner of Planning and Regulatory Services. Such lands or easements shall be granted to the Town in priority to all charges and encumbrances and shall be conveyed without monetary consideration.

Policy Planning Division – Park and Natural Heritage Planning Section

8. The Owner agrees that no trees, vegetation or environmentally significant features within the draft plan shall be removed or altered without the written consent of the Town. Further, in the event that any trees, vegetation or environmentally significant features within the draft plan are removed or altered without the written consent of the Town, the Owner shall restore the lands and/or provide compensation to the municipality as required by the Town.
9. Prior to registration of the Plan, the Owner shall submit a Tree Inventory and Preservation Plan completed consistent with the Town's guidelines for the preparation of such reports and to the satisfaction of the Town. The Owner shall agree in the Site Plan Agreement applicable to the subject lands, to implement the recommendations of Tree Inventory and Preservation Plan finally approved by the Town, to pay all costs associated with implementation, to replace the loss of tree cover either through replanting and/or cash-in-lieu of planting, and provide associated securities upon request to guarantee undertaking of the work.

Region of York - Regional Planning and Development Services Department

10. The Owner shall agree to save harmless York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
11. The Owner shall agree to permit a direct shared vehicular, pedestrian and cycling interconnection from the proposed development to the adjacent properties to the west located at 351 and 361 Carrville Road.
12. The Owner shall agree to advise all potential purchasers of the existing transit services in this development. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps and providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements.

13. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the Town of Richmond Hill for the development proposed within this draft Plan of Subdivision or any phase thereof.
14. Prior to final approval, the engineering drawing(s) showing the layout of watermain and sewers shall be submitted to the Region for review by the Infrastructure Asset Management Branch.
15. Prior to final approval, the Owner shall provide a drawing that demonstrates the proposed development will provide direct shared pedestrian/cycling facilities and connections from the proposed development to Carrville Road to support active transportation and public transit, where appropriate.
16. Prior to final approval, the Owner shall provide a Transportation Demand Management (TDM) Plan to address the following comments, to the satisfaction of the Region:
 - a) The TDM Plan shall include a TDM communication strategy, to assist the Region and the Town of Richmond Hill to effectively deliver the Information Packages and pre-loaded PRESTO Cards to residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-located PRESTO Cards. The applicant is responsible for the coordination and for providing a venue for the distribution of PRESTO Cards. Each event, approximately 4 hours of staff time, can serve approximately 100 residential units. The applicant shall coordinate specific event details with York Region/York Region Transit Staff allowing a maximum of 2 months' notice.
 - b) The TDM Plan shall include a TDM checklist that summarizes the programs and measures, estimated costs and responsibility of the applicant to implement TDM recommendations. Estimated costs for any items that are provided by the Region shall be identified as "To be Determined (TBD)".
17. The Owner shall implement all recommendations of the final TDM Plan as approved by York Region.
18. Prior to final approval, the Owner shall convey lands to provide a 43 metres right-of-way required for this section of Carrville Road, measured from the existing northern property line of Carrville Road, and any additional lands required for the turn lanes at the intersections, will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor. This requirement is consistent with the approved 2016 Rutherford Road/Carrville Road Environmental Assessment (EA) Study.
19. The Owner acknowledges and agrees that revisions to the draft Plan of Subdivision may be required to incorporate the recommendations of the approved EA for

Carrville Road. These revisions shall be in conformity with the recommendations of the approved EA.

20. The Region requires the Owner to submit, in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition Part XV.1 of the Act (as amended) ("O. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to the Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of land, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirement of this section. The Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to the Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording to the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.
21. The Owner shall also provide the Region's Development Engineering with a certified written statement from the Owner or the Owner's authorized representative that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in, or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.

The preparation and delivery of the Phase I ESA, any subsequent environmental reports, other documentation, reliance and the Owner's certified written statement shall be provided at no cost to the Region.

22. Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadway listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadways that have transit services.

23. Existing YRT/Viva transit services operate on the following roadway in the vicinity of the subject lands:

- Carrville Road

24. Prior to final approval, the Owner shall satisfy the Transportation Services Department and the area municipality that the services to be installed by the Owner within or in conjunction with the Plan will provide a concrete pedestrian access connection from the internal roadways to the Regional roadway as follows:

- From internal roadways to Carrville Road

The concrete pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the area municipality.

25. The Owner shall satisfy the Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have transit services, sidewalks, pedestrian access and bus stop locations.

26. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that the Regional development charges, or any part thereof, are payable.

Ministry Of Culture

27. Prior to final approval, and prior to the initiation of any grading, the Owner shall carry out an archaeological assessment of the entire area within this draft Plan of Subdivision and shall prepare a report which will identify significant archaeological sites to the satisfaction of the Town of Richmond Hill and the Archaeology and Heritage Planning Unit of the Ministry of Culture.

28. The Owner shall agree that no development or grading shall occur on any site identified as being archaeologically significant by the assessment referred to in Condition 27, until archaeological excavations of all significant sites within any phase

for which final approval is sought has been carried out to the satisfaction of the Town of Richmond Hill and the Archaeology and Heritage Planning Unit of the Ministry of Culture.

Clearance Conditions

29. The Town of Richmond Hill shall advise that Conditions 1 to 9 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
30. The Regional Corporate Services Department shall advise that Conditions 10 to 26 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
31. The Ministry of Culture shall advise that Conditions 27 and 28 have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.

NOTE: Where final approval for registration has not been given within three (3) years after the date upon which approval to the proposed Plan of Subdivision was given, The Town of Richmond Hill may, in its discretion, and pursuant to the *Planning Act*, R.S.O. 1990, withdraw its approval to this proposed Plan of Subdivision, unless approval has been sooner withdrawn, but The Town of Richmond Hill may from time to time extend the duration of the approval.